

## **REMARKS**

By this amendment, claims 1, 3 and 6 have been amended, and claims 12-21 have been added. Thus, claims 1-21 are now active in the application. Reexamination and reconsideration of the application are respectfully requested.

The specification and abstract have been carefully reviewed and revised to correct grammatical and idiomatic errors in order to aid the Examiner in further consideration of the application. The amendments to the specification and abstract are incorporated in the attached substitute specification and abstract. No new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification and Abstract by the current amendment. The attachment is captioned "**Version with markings to show changes made.**"

In item 1 on page 2 of the Office Action, the Examiner indicated that Figs. 9 and 10 should be labeled as "Prior Art". Accordingly, replacement formal drawings are submitted herewith under separate cover letter in order to so label Figs. 9 and 10 as "Prior Art". In addition, a replacement formal drawing is submitted to replace Fig. 6 with Figs. 6A, 6B and 6C, so as to provide separate figure labels for the three separate views of Fig. 6, in accordance with U.S. PTO drawing practice. The Examiner is requested to approve these replacement formal drawings, and to indicate such approval in the next Office Action.

It is noted that the Examiner indicated, in the Office Action Summary Sheet, that claims 1-8 are pending, and that claims 1-8 are rejected. However, the Examiner's attention is directed to the Preliminary Amendment filed August 4, 2003, which was effective to add claims 9-11.

Next, in items 2-8 on pages 2-4 of the Office Action, claims 1-4 and 6-8 were rejected under 35 USC 102(b) as being anticipated by Owe et al. (EP 0342625); and claim 5 was rejected under 35 USC 103(a) as being unpatentable over Owe et al. in view of Berding (US 5,936,803). It is respectfully submitted that these rejections are clearly inapplicable to the claims as now presented, for the following reasons.

With exemplary reference to the drawing figures, claim 1 sets forth a head supporting assembly comprising: a head for performing at least one of recording and reproduction on a disk 15 provided in a disk plane; a head supporting member made up of the head, a head mount (e.g. 1) with the head mounted thereon, and a supporting arm 3 with the head mount (e.g. 1) attached to a first end thereof; a base arm 6 having a rotation-supporting portion 7 for supporting the head

supporting member for rotation in a direction toward and away from the disk plane; and a resilient member 5 having a first end thereof (right hand end in Fig. 2) connected with a second end of the supporting arm at a connected portion, and a second end thereof (left end in Fig. 2) fixed to the base arm 6 at a fixed portion for urging the head supporting assembly toward the disk 15; wherein the rotation-supporting portion 7 comprises a plurality of pivots 7 provided at a first end of the base arm 6; wherein the supporting arm 3 and the base arm 6 are separate members; wherein the second end (left end in Fig. 2) of the resilient member 5 is fixed to the first end of the base arm 6; and wherein the rotation-supporting portion 7 of the base arm 6 is provided at such a position that the head mount (e.g. 1) is allowed to be displaced relative thereto by pressing the rotation-supporting portion 7 in a pressing direction.

Thus, claim 1 now specifies that the rotation-supporting portion comprises a plurality of pivots 7 provided at a first end of the base arm 6 (as illustrated in Fig. 2), that the supporting arm 3 and the base arm 6 are separate members, and that a first end (e.g. left end in Fig. 2) of the resilient member is fixed to the second end (left end in Fig. 2) of the base arm 6.

This is clearly not the case in the Owe reference, wherein the resilient member 17 has its right hand end secured to a portion of the supporting member (referred to by the Examiner as "base arm") 15, and a second end (left end) constituting a free end that contacts the tongue section 14 to press the top end portion of the tongue section toward the disk 10.

The Examiner cited the Berding reference for showing "a center of gravity of the head supporting member 120 ... positioned on a rotation axis of the rotation-supporting portion provided on the base arm." However, the Berding patent clearly provides no teaching or suggestion that would have obviated the above-discussed shortcomings of the Owe et al. reference.

For these reasons, it is believed apparent that claim 1 is not anticipated by the Owe et al. reference, and further that the differences are such that a person of ordinary skill in the art would not have been motivated to modify the Owe et al. reference or to make any combination of the references of record such as to result in or otherwise render obvious the present invention of claim 1. Therefore, it is respectfully submitted that claim 1, as well as claims 2-13 which depend therefrom, are clearly allowable over the prior art of record.

New independent claim 14 is similar to claim 1, except that, instead of reciting that the rotation-supporting portion comprises a plurality of pivots, that the supporting arm and base arm

are separate members and that the second end of the resilient member is fixed to the first end of the base arm, claim 14 specifies that the supporting arm 3 is interconnected with the arm 6 only by the resilient member 5.

Clearly this is not the case in the Owe et al. references, wherein the supporting arm 11 is continuous with the portions 11b, 11c which are connected to the base arm 15 via the spacer 20.

Accordingly, it is submitted that claim 14 is also clearly not anticipated by the Owe et al. patent. Furthermore, there is no teaching or suggestion in the references of record which would have motivated a person skill in the art to modify the Owe et al. reference or to make a combination of the references in such a manner as to result in or otherwise render obvious the present invention of claim 14. Therefore, it is respectfully submitted that claim 14, as well as claims 15-21 which depend therefrom, are clearly allowable over the prior art of record.

The Examiner's attention is also directed to the dependent claims which set forth additional features of the present invention and further define the invention over the prior art.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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